

New Phase II Storm Water Rule

The U.S. Environmental Protection Agency has expanded its storm water program to now include smaller communities, smaller construction projects and all communities' vehicle maintenance practices. The new requirements, called the Storm Water Phase II rule, are the next steps in EPA's efforts to protect waterways from polluted storm water runoff.

Since 1990, Phase I of the program has used permits issued under the National Pollutant Discharge Elimination System (NPDES) to control storm water run off from:

- ▶ municipalities serving populations of 100,000 or more;
- ▶ construction activity disturbing 5 acres of land or greater; and,
- ▶ 10 categories of industrial activity.

Phase II of the program, enacted in October 1999, will now cover:

- ▶ municipalities in "urbanized areas" with populations *under* 100,000;

- ▶ construction activity disturbing 1 acre of land or greater; and,

- ▶ *all* communities vehicle maintenance practices.

The ISTEA (Intermodal Surface Transportation Policy Act) exemption for municipal "transportation" facilities from storm water requirements ends with the passage of Phase II. *All* municipal highway facilities (regardless of size) will need a general permit *or* need to obtain an exemption. To qualify for a permit or an exemption, highway facilities will need to control their "process water," which includes vehicle wash water. Municipal highway facilities will also have to protect their sand/salt piles and other materials from storm water.

EPA will be presenting a series of training courses this fall for those interested in and affected by the NPDES storm water program.

EPA Headquarters will offer a two-day course covering Phase I and II of the storm water program in Newport, R.I. on October 24 - 25. This course will provide

in-depth training on the permitting requirements for regulated industrial facilities, construction activities and municipalities. The intended audience is staff with limited knowledge of and experience with the storm water program. On October 26, EPA Headquarters is offering a one-day workshop on Phase II only, also in Newport. This session is for municipalities, construction operators, and industrial facilities familiar with the storm water program, but who have questions about changes to the programs or permits under Phase II.

EPA New England will offer one-day combination workshops/trade shows on Phase II in Maine and New Hampshire in November. Each workshop/trade show will provide an overview on Phase II compliance and best management practices for municipal officials and construction companies, and present technologies that can help the audience comply and prevent storm water pollution.

Please see the calendar section for additional information.

Compliance Assistance Center Opened for Federal Agencies

EPA has opened an on-line Federal Facilities Compliance Assistance Center to provide federal government agencies with information on environmental regulations, guidance on compliance assistance, and links to state and other federal agency environmental home pages. This center is the tenth launched by EPA and is sponsored by the Federal Facilities Enforcement Office, which is responsible for ensuring that federal facilities take actions necessary to prevent, control and abate environmental pollution. The office also develops policies and guidance for federal agencies, helps negotiate interagency agreements, provides technical assistance and provides program, enforcement and information support to EPA's regional offices. The new center address is: www.epa.gov/oeca/fedfac/cfa. All of EPA's compliance assistance centers can be reached at: www.assistancecenters.net.

MARK YOUR CALENDAR

July 11

Environmental Regulatory Requirements for Academia

Worcester State College

Administration Theater

Worcester, Mass.

A forum for EHS (environmental, health and safety) and facilities staff at colleges and universities to learn about environmental requirements. The forum provides participants an opportunity to interact with others that face difficulties coming into and remaining in compliance with these regulations. \$30. Sponsored by EPA New England, Northeast Partnership for Environmental Technology Education, and Worcester State College. For more information call Peggy Bagnoli of EPA at 617.918.1828 or Joan Jouzaitis of EPA at 617.918.1846.

August 28 - 30

BioCycle Northeast Conference 2000:

Focus on Food Residuals Management

Radisson Hotel

Burlington, Vt.

8:00 a.m. - 5:00 p.m.

This conference provides an opportunity to learn about food residuals management from generators, haulers, and processors. Learn from operators and managers of successful food residuals management projects and take advantage of networking opportunities. There will be hands on training on separation, storage, processing and troubleshooting. Sponsored by EPA New England and the Northeast Recycling Council. \$385. For more information contact BioCycle at www.biocycle.net, biocycle@jgpress, or 610.967.4135.

September 19 - 20

National Environmental Monitoring Conference

Hynes Auditorium

Boston, Mass.

A comprehensive conference on environmental monitoring and related technologies, programs, and applications. For technology vendors and suppliers, industry representatives, federal, state and local agencies, academia and the interested public who have common interest in forming partnerships to advance the design and commercialization of new environmental monitoring solutions. Sponsored by EPA, Boston University, and the Environmental Business Council of New England. For more information contact Doug Gutro, EPA New England, at 617.918.1021 or visit www.epa.gov/region01 in the coming weeks for trade show, registration and hotel information.

October 24 - 25

Storm Water Course

Newport, R.I.

8:30 a.m. to 5:00 p.m.

Covers both the existing Phase I NPDES storm water rule and the new Phase II rule. Sponsored by EPA Headquarters. Free. Visit EPA's web site at <http://www.epa.gov.owm/sw/training/> for more information. (See related article on page 1.)

October 26

Phase II Storm Water Workshop

Newport, R.I.

8:30 a.m. to 5:00 p.m.

Provides an introduction to the new Phase II storm water rule. Sponsored by EPA Headquarters. Free. For more information visit EPA's web site at <http://www.epa.gov.owm/sw/training/> (See related article on page 1.)

Coming in November

Phase II Storm Water Workshop & Trade Show

Maine

One day workshop and trade show to help municipalities and construction firms understand and comply with the new requirements. Locations and dates to be announced. Sponsored by EPA New England. For information call Chris Jendras of EPA at 617.918.1845 or Abby Swaine of EPA at 617.918.1841. (See related article on page 1.)

Phase II Storm Water Workshop & Trade Show

New Hampshire

See description for Maine. Sponsored by EPA New England. (See related article on page 1.)

**Visit our College & University
web page at:**

<http://www.epa.gov/region01/steward/univ>

Best Practices for Metal Finishing Line Operators Workshops to be Offered by EPA New England

Under a grant from the Metal Finishing Suppliers Association (MFSA), EPA New England is organizing a workshop for metal finishing line operators to be held at various locations across the region during the last week of September. The contractor offering this workshop, Tetratex, has presented this workshop in California, where it has been well received by the metal finishing community. This workshop offers a hands on learning experience for the workers who have the most impact on your process. The three-hour workshop will focus on how plating techniques affect wastewater generation and business profits. Topics to be covered include:

- withdrawal rate ➤ proper racking
- hang time ➤ spray systems
- drain techniques ➤ effective rinsing.

Attendees of the workshops will compare and contrast good and bad operating practices, receive hands on training that demonstrate best operating practices, measure and quantify their impact on dragout, and measure and quantify the effects of dragout on raw material use and waste generation rates.

Would you and your shop like to host a workshop?

In order to make these workshops a “hands on” experience, they will be offered in area plating shops. EPA is looking for shops willing to host the workshops. In order to host a workshop, a facility must have a room that can be used to show videotapes for part of the workshop, and a plating bath along with one or two rinse tanks that can be used for the “hands on” part of the workshop.

These workshops will be limited to 16 to 20 attendees each. Attendees will be escorted at all times. Any facility who volunteers to hold a workshop can send as many workers as they like, with the remaining slots being filled by other companies. This workshop can be held at any time of the day or early evening to minimize impact on production.

For more information or to volunteer your facility as a workshop site, please contact Linda Darveau, EPA New England, at 617. 918.1718.

FROM THE CAPITAL

Changes Announced to Self-Disclosure Policies

EPA recently announced revisions to its two self-disclosure policies, the Audit Policy and the Small Business Compliance Policy. EPA revised the policies based on extensive public outreach and the Agency’s experience in handling self-disclosure cases. Businesses that meet policy conditions are eligible for penalty reductions and waivers and other benefits. However, both policies prohibit benefits to companies for certain violations, such as those that may result in serious harm or risk, those that reflect repeated noncompliance, or those in which corporate officials condone criminal behavior. In addition, the policies allow EPA to recover economic benefits from violating companies to ensure businesses that comply with environmental laws are not put at a competitive disadvantage by those not complying. The key revisions to the Audit Policy include:

- lengthening the amount of time from 10 to 21 days that entities have to disclose a violation after it is discovered;
- clarifying that a facility may qualify for Audit Policy credit even if another facility owned or operated by the same parent organization is already the subject of an inspection, investigation or information request;
- clarifying that companies will have at least 21 days to disclose violations discovered at newly-acquired facilities; and,
- clarifying that the repeated noncompliance condition will not disqualify disclosures from newly-acquired facilities.

The Small Business Policy, available for companies with 100 or fewer employees, reduces or waives penalties for small businesses that disclose and make good faith efforts to correct violations, provided they meet the criteria in the policy. The key revisions to the Small Business Compliance Policy:

- lengthens the amount of time from 10 to 21 days that entities have to disclose a violation after discovery; and,
- expands the number of ways that the violations can be discovered.

Both revised policies were published in the Federal Register on April 11, took effect on May 11, and are available at: www.epa.gov/oeca.

NEEATeam ROSTER

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Read *Pollution Prevention & the Bottom Line* on the Internet at <http://www.epa.gov/region01/steward/neeat/>



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